

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**BECKLEY DIVISION**

KENNETH BUTCH WARNER,

Plaintiff,

v.

CIVIL ACTION NO. 5:13-cv-22204

THE TOWN OF PINEVILLE,

Defendant.

**JUDGMENT ORDER**

In accordance with the accompanying Memorandum Opinion and Order granting the Defendant, Town of Pineville's Partial Motion to Dismiss, the Court **ORDERS** that judgment be entered accordingly. Specifically, the Court **ORDERS** that all federal claims alleged in the Plaintiff's Complaint be **DISMISSED WITH PREJUDICE**, that the remaining state law claims be **REMANDED** to the Circuit Court of Wyoming County, West Virginia, and that this matter be **STRICKEN** from the docket.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and to any unrepresented party, and a certified copy to the Clerk of the Circuit Court of Wyoming County, West Virginia.

ENTER: October 30, 2013



IRENE C. BERGER  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF WEST VIRGINIA